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DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 1/10/08

DLA Piper US LLP
1251 Avenue of the Americas, 27th Floor
New York, New York 10020-1104
www.dlapiper.com

Eric M. Falkenberg
eric.falkenberg@dlapiper.com
T 212.335.4633
F 212.884.8633

January 9, 2008

VIA HAND DELIVERY

The Honorable Lawrence M. McKenna
United States District Court
Southern District of New York
500 Pearl St., Room 1640
New York, NY 10007

MEMO ENDORSED

RECEIVED
IN CHAMBERS

JAN 10 2008

LAWRENCE M. MCKENNA
USDC

Re: PartMiner Information Services, Inc. v. Avnet, Inc., Thomas Casey Reed, John Kenneth Sharpe, and Neil R. Vanek, 07 Civ. 11482 (LMM)

Dear Judge McKenna:

We represent Plaintiff PartMiner Information Services, Inc. ("PartMiner") in the above-referenced action. This letter serves as a request for permission to expand the Court's page limit from 25 to 35 pages for memoranda of law in support of and in opposition to the motion described below. Counsel for the Defendants has no objection to this request.

PartMiner wishes to bring a motion for: (1) a preliminary injunction enjoining Defendants Avnet, Inc. ("Avnet"), Thomas Casey Reed ("Reed"), John Kenneth Sharpe ("Sharpe") and Neil R. Vanek ("Vanek") from (a) making competitive use of PartMiner trade secrets and other confidential information, in violation of the individual Defendants' confidentiality agreements and fiduciary duties, and a prior settlement agreement between the Defendants and PartMiner and (b) disparaging PartMiner and its products and services through false and misleading advertising and promotion, in violation of the federal Lanham Act and state unfair competition law; and (2) an order granting expedited discovery.

One of the standards to be satisfied on a motion for preliminary injunction is the likelihood of success on the merits. The Complaint in this action contains ten causes of action, and the memoranda of law will seek to set out the reasons why plaintiff is likely to succeed on each cause of action. Therefore, even though PartMiner will, on average, dedicate less than two double-spaced pages to each cause of action, this section of the brief will still take up over 18 pages. This will leave less than seven pages for the preliminary statement, the factual background, the argument concerning the remaining standards for a preliminary injunction, and the argument concerning expedited discovery. Under these circumstances, PartMiner submits that good cause has been shown to expand the page limit to 35 pages for memoranda of law on this motion, and respectfully requests that the Court grant such permission.

Granted. So ordered.
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The parties are attempting to work out an expedited discovery schedule and, if one can be agreed upon, no motion for expedited discovery will be made. If an expedited schedule cannot be agreed upon, PartMiner will move for expedited discovery.

Please contact me with any questions or concerns.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Eric M. Falkenberry'.

Eric M. Falkenberry
eric.falkenberry@dlapiper.com

EMF/rra

cc: Joseph A. Piesco, Jr., Esq. (via email and overnight mail)
Counsel for Defendants